

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

JOSHUA DANIEL BISHOP,

Petitioner

vs.

HILTON HALL,

Respondent

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5:08-CV-91 (HL)

ORDER

Petitioner filed a Petition for Writ of Habeas Corpus, a Motion for Leave to Proceed *in forma pauperis*, and a Motion for Appointment of Counsel. (R. at 1,2, 5). The Court has granted his Motion for Leave to Proceed *in forma pauperis* and appointed counsel. (R. at 6). Respondent has filed a Response to the Petition for Writ of Habeas Corpus (R. at 9) and, pursuant to Rule 5 of the Rules Governing 28 U.S.C. § 2254 Proceedings, filed numerous exhibits. (R. at 10).

In an effort to move this case forward as expeditiously as possible, the parties are to comply with the following schedule:

Petitioner's motion for leave to conduct discovery, if any, shall be filed within thirty (30) days of the filing of this Order. Respondent shall have thirty (30) days to respond to such motion, and Petitioner shall have fifteen (15) days to reply to Respondent's response.

Petitioner's motion for an evidentiary hearing, if any, shall be filed within thirty (30) days of the completion of discovery, or, within thirty (30) days of the filing of the Court's

denial of discovery. Respondent shall have thirty (30) days to respond to such motion, and Petitioner shall have fifteen (15) days to reply to Respondent's response.

If Petitioner does not seek discovery, his request for an evidentiary hearing shall be filed within thirty (30) days of the filing of this Order. Respondent shall have thirty (30) days to respond, and Petitioner shall have fifteen (15) days to reply to Respondent's response.

Within forty-five (45) days after evidence has been received, or within forty-five (45) days after the Court issues an Order denying an evidentiary hearing, Petitioner must file a brief addressing all outstanding issues; including the issues of exhaustion, procedural default, cause and prejudice, fundamental miscarriage of justice, and the merits for all claims contained in his Petition for Writ of Habeas Corpus. Respondent shall have forty-five (45) days to respond, and Petitioner shall have fifteen (15) days to reply to Respondent's response.

If the parties find it necessary to request additional time to file any of the motions and briefs described above, they must file a motion making such a request. Any motion requesting additional time must set forth the reasons for the request and the exact amount of additional time that is needed.

SO ORDERED, this 27th day of June, 2008.

s/ *Hugh Lawson*
HUGH LAWSON
UNITED STATES DISTRICT JUDGE

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